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Supreme Court, U.S.
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No. 121, Original

In The

Supreme Court of the United States

October Term, 1993

STATE OF LOUISIANA,

Plaintiff,

v.

STATE OF MISSISSIPPI, et al.,

Defendants.

ANSWER OF PLAINTIFF STATE OF LOUISIANA TO COUNTERCLAIM OF THE STATE OF MISSISSIPPI

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February 7, 1994

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The State of Louisiana and its Governor, the Honorable Edwin W. Edwards, and its Attorney General, the Honorable Richard P. Ieyoub, respectfully file this Answer to the Counterclaim filed by the State of Mississippi:

1.

The allegations of Paragraph one of the Counterclaim require no answer except to state that Honorable Edwin W. Edwards is the Governor of the State of Louisiana and Honorable Richard P. Ieyoub is the Attorney General of the State of Louisiana. The purpose of their joinder as

citizens is unknown and Louisiana moves their dismissal from this action as such.

2.

The allegations of Paragraph two are admitted, as plead in Paragraph I of Louisiana's complaint.

3.

The allegations of Paragraph three are generally admitted, the issue and real question in dispute between the parties being the true location of the boundary line between the states of Louisiana and Mississippi, which is dependent upon application of controlling principles of law for the determination of its location, all facts considered.

4.

The allegations of Paragraph four are generally admitted, these allegations being nothing more than a recitation of Paragraph II of Louisiana's original complaint.

5.

The allegations of Paragraph five are specifically and emphatically denied and it is shown that the description provided by Mississippi is incorrect and in conflict with applicable principles of law.

6.

The allegations of Paragraph six are specifically and emphatically denied.

7.

The allegations of Paragraph seven are denied as written.

8.

The allegations of Paragraph eight are denied as written, but it is generally admitted that the chute channel to the east of Stack Island did enlarge again during this period of time, and earlier. However, this singular event is not dispositive of the boundary issue.

9.

The allegations of Paragraph nine are denied.

10.

The allegations of Paragraph ten are denied.

11.

The allegations of Paragraph eleven are denied and it is shown that the State of Mississippi has never asserted acts of sovereignty, jurisdiction, dominion or control over either the accretion to the west bank of the Mississippi River or to the island in the center of the river now known as Stack Island or Rabbit Island nor of any other

lands which may be the subject of this controversy. It is further shown that Louisiana has never acquiesced in the exercise of sovereignty or jurisdiction by Mississippi. The remainder of the allegations are specifically and emphatically denied.

12.

The allegations of Paragraph twelve are generally admitted, these being a re-statement of Paragraphs XVIII and XIX of Louisiana's original complaint.

WHEREFORE, premises considered, plaintiff-counterdefendant(s), the State of Louisiana and its Governor and Attorney General respectfully pray:

1. That, on final hearing hereof, the relief prayed for in the complaint filed herein by the State of Louisiana be granted and the boundary line between the State of Louisiana and the State of Mississippi be fixed, recognized and determined according to law.

2. Plaintiff-counterdefendant(s) also pray for such other and further relief, general or special, as the Court may deem fit and proper.

Respectfully submitted:

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